

71910091

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the  
District of Montana

United States of America

Plaintiff(s)

v.

GEORGE KORNEC, PHILIP NAPPO,  
INTERMOUNTAIN MINING AND REFINING, LLC.

Defendant(s)

Civil Action No. CV 15-78-H-CCL

## SUMMONS IN A CIVIL ACTION

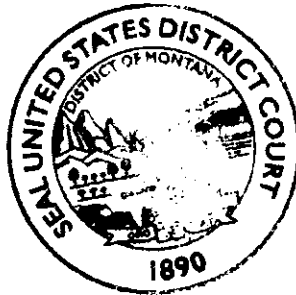
To: (Defendant's name and address) George Kornec  
825 Central Avenue  
Great Falls, MT 59404

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Victoria L. Francis, AUSA  
2601 2nd Avenue North, Suite 3200  
Billings, MT 59101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: August 11, 2015



CLERK OF COURT

Signature of Clerk or Deputy Clerk

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Civil Action No. CV 15-78-H-CCL

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* George Karnes  
 was received by me on *(date)* 08/11/2015

☒ I personally served the summons on the individual at *(place)* White Hope Mine,  
Mike Horse Road Lincoln MT 59639 on *(date)* 08/11/2015 or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ 0 for travel and \$ 0 for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 08/11/15

Leo P. Dutton  
 \_\_\_\_\_  
*Server's signature*

Leo P. Dutton Sheriff  
 \_\_\_\_\_  
*Printed name and title*

221 Breckenridge, Helena MT 59601  
 \_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



**RETURN OF SERVICE**  
**CVN 15-78-H-CCL**

**15001514**

**State of Montana**

**Lewis and Clark County Sheriff's Office**

I, **LEO DUTTON**, being duly sworn upon oath, deposes and says: That (s)he is over eighteen years of age and not a party or attorney for a party or related to any of the parties to the action to which this service of process relates.

I hereby certify that I received the annexed, **SUMMONS** on **8/11/2015**, and personally served the same on **8/11/2015** upon **GEORGE KORNEC** by delivering to **GEORGE KORNEC** at the **WHITE HORSE MINE, WHITE HORSE ROAD, LINCOLN, MT 59639** at the hour of **5:45 PM** and that the undersigned knows the person served to be the person in this document as having been served and intended to be served.

This document was personally served, in the County of Lewis and Clark, and was a true and correct copy of said:

**SUMMONS & COMPLAINT**

was left with HIM/HER and HE/SHE was informed of the contents thereof.

**DATED at Helena, Montana, on 8/12/2015.**

**LEO DUTTON, Sheriff**

**Lewis and Clark County  
Sheriff's Office – Civil Division  
221 Breckenridge Street  
Helena, Montana 59601**